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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
10
11 Plaintiff,

Case No. CR10-299-JCC

12 v.

13 GARRETT L. RISER,
14
15 Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

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17 **INTRODUCTION**

18 I conducted a hearing on alleged violations of supervised release in this case on January 31,
19 2013. The defendant appeared pursuant to summons issued in this case. The United States was
20 represented by Bruce Miyake, and defendant was represented by Peter Avenia. Also present was
21 U.S. Probation Officer Jennifer Van Flandern. The proceedings were digitally recorded.

22 **SENTENCE AND PRIOR ACTION**

23 Defendant was sentenced on November 18, 2011, by the Honorable John C. Coughenour for
Pharmacy Robbery. He received 70 months of detention and 3 years of supervised release.

PRESENTLY ALLEGED VIOLATIONS

In a petition dated January 5, 2012, U.S. Probation Officer Jennifer Van Flandern alleged
that defendant violated the following conditions of supervised release:

1. Being terminated from the residential inpatient treatment at SEADRUNAR on January 5, 2013, in violation of the special condition requiring him to reside and participate for one year at SEADRUNAR.

FINDINGS FOLLOWING EVIDENTIARY HEARING

Defendant admitted the above violations, waived any hearing as to whether they occurred, and was informed the matter would be set for a disposition hearing on February 15, 2013, at 9:00 a.m. before District Judge John C. Coughenour.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

DATED this 31st of January, 2013.

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BRIAN A. TSUCHIDA
United States Magistrate Judge